

**DISPOSITION:** On December 18, 1946, the Gold Medal Distributing Co., North Kansas City, Mo., having appeared as claimant for the 126 cases at North Kansas City, judgment was entered ordering that the product be released to the claimant, conditioned that a portion be delivered to a charitable institution and that the remainder be delivered to the police and fire departments.

On October 31, 1946, the Indianapolis Brewing Co., claimant for the remaining lots, having admitted the allegations in the libels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be relabeled. On March 17, 1947, the claimant having been unable to comply with the terms of the decrees, amended orders were entered providing for the destruction of the beer and the salvaging of the containers.

**11302. Misbranding of beer. U. S. v. 285 Cases \* \* \*. (F. D. C. No. 21128. Sample No. 52753-H.)**

**LIBEL FILED:** October 2, 1946, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about August 1, 1946, by the Denmark Brewing Co., from Denmark, Wis.

**PRODUCT:** 285 cases, each containing 24 bottles, of beer at Port Clinton, Ohio. Examination showed that the product was short-volume.

**LABEL, IN PART:** "Contents 12 Fluid Oz. 20th Century. Pale Beer."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** October 31, 1946. The Denmark Brewing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**11303. Adulteration and misbranding of grape beverage base. U. S. v. 48 Cases \* \* \*. (F. D. C. No. 20580. Sample No. 8496-H.)**

**LIBEL FILED:** On or about August 12, 1946, District of Connecticut.

**ALLEGED SHIPMENT:** On or about May 10, 1946, by Katy's Kitchen, from Chicago, Ill.

**PRODUCT:** 48 cases, each containing 24 jars, of Old Mother Hubbard Sweetened Grape Beverage Base at Hartford, Conn. Analysis showed that the product was an artificially flavored and colored mixture of water, sugar, and acids, containing little or no grape juice.

**LABEL, IN PART:** "Old Mother Hubbard Sweetened Grape Beverage Base Fortified with Artificial Grape Flavor Contains Sugar Syrup, Grape Juice, Artificial Grape Flavor, Phosphoric Acid, Vegetable Gum, Certified Color, and  $\frac{1}{10}$  of 1% Benzoate of Soda."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, grape juice, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the designation "Sweetened Grape Beverage Base" was false and misleading as applied to an article containing little or no grape juice; and, Section 403 (c), the article was an imitation of another food, i. e., sweetened grape beverage base, and its label failed to bear in type of uniform size and prominence the word "imitation" and immediately thereafter the name of the food imitated.

**DISPOSITION:** September 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

**11304. Adulteration and misbranding of grape juice punch. U. S. v. 46 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 20523, 20524. Sample Nos. 57197-H to 57199-H, incl.)**

**LIBELS FILED:** July 13, 1946, District of New Hampshire.

**ALLEGED SHIPMENT:** On or about June 18, 1946, by the Fuller Co., from Watertown, Mass.

**PRODUCT:** 62 cases, each containing 24 1-pint bottles, and 70 cases, each containing 4 1-gallon bottles, of grape juice punch at Manchester, N. H. Analysis